

**Notice of Allowability**

Application No.

10/797,293

Examiner

Sharidan Carrillo

Applicant(s)

PAUL MONTIE

Art Unit

1746

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/10/2004.
2. ☒ The allowed claim(s) is/are 22-25.
3. ☒ The drawings filed on 10 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 3/10/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

  
**SHARIDAN CARRILLO**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-21, drawn to a method of removing paint, classified in class 134, subclass 38.
  - II. Claims 22-25, drawn to a method of removing paint using benzyl alcohol, classified in class 134, subclass 26.
  - III. Claims 26-42, drawn to a method of recycling liquid waste, classified in class 588, subclass 300.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different modes of operations.

Inventions I and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different functions.

Inventions II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different functions.

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Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Mr. Todd Van Thomme on 2/08/05 a provisional election was made with traverse to prosecute the invention of Group II, claim 22-25. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-21 and 26-42 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

#### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Todd Van Thomme on 2/16/2005.

The application has been amended as follows:

#### **Specification:**

Page 3, paragraph 9, line 6, after "DBE-4 dibasic ester" insert -(dimethyl succinate)—  
Page 3, paragraph 9, line 7, after "DBE-5 dibasic ester" insert -(dimethyl glutarate)—  
Page 3, paragraph 9, line 7, after "DBE-6 dibasic ester" insert -(dimethyl adipate)—  
Page 5, line 2, after "concentrations" insert —expressed by weight percentage—  
Page 7, line 4, after "components" insert —expressed by weight percentage--

**Claims:** Cancel claims 1-21 and 26-42.

**Amend claims 22-25 as follows to replace all previous versions:**

22. A process for removing paint coating from an at least partially coated plastic substrate comprising the steps of:

providing a plastic substrate at least partially coated with a paint coating;

immersing the at least partially coated plastic substrate into a first fluid mix comprising benzyl alcohol, sodium lauryl sulphate, 2-mercaptobenzothiazole, xylene, glycolic acid, and water;

thereafter immersing the at least partially coated plastic substrate into a second fluid mix comprising dipropylene glycol dimethyl ether, dimethyl succinate, dimethyl glutarate, dimethyl adipate ~~DBE-4 dibasic ester, DBE-5 dibasic ester, and DBE-6 dibasic ester~~, and optionally agitating the at least partially coated plastic substrate, wherein the immersing steps remove the paint coating from the plastic substrate;

rinsing the plastic substrate with water; and

drying the plastic substrate.

23. The process for removing paint coating from an at least partially coated substrate of claim 22, wherein the plastic substrate comprises a plastic substrate selected from the group comprising consisting of nylon, polypropylene, polyphenylene oxide (PPO), polyethylene, ~~polyamide and polyphenylene ether (PPE)~~, polycarbonate, thermoplastic polyolefins, ~~polyphenylene oxide (PPO)~~, polyamide (PA), polyphenylene ether (PPE), thermoplastic urethanes, blended nylon, polyvinyl chloride, high impact polystyrenes, and mixtures thereof. ~~[[,]] and wherein a first fluid retaining device retains the first fluid mix, and a second fluid retaining device retains the second fluid mix, and wherein the at least partially coated plastic substrate is removed from the first fluid retaining device prior to being immersed in the second fluid retaining device.~~

24. The process for removing paint coating from an at least partially coated substrate of claim 23, wherein the first fluid mix comprises from about 50% to about 55% by weight benzyl alcohol, from about 0.5% to 1.5% by weight sodium lauryl sulphate, from about 0.5% to about 1% by weight 2-mercaptobenzothiazole, from about 30% to about 40% by weight water, from about 0.1% to about 1% by weight xylene,

and from about 5% to about 10% by weight glycolic acid and wherein the first fluid mix comprises a temperature of about 140° F to about 180° F.

25. The process for removing paint coating from an at least partially coated substrate of claim 23, wherein the second fluid mix comprises from about 15% to about 25% by weight dipropylene glycol dimethyl ether, from about 55% to about 65% by weight dimethyl succinate, ~~DBE-4 dibasic ester~~, from about 1% to about 2% by weight dimethyl glutarate ~~DBE-5 dibasic ester~~, and from about 15% to about 25% by weight dimethyl adipate ~~DBE-6 dibasic ester~~, and wherein the second fluid mix comprises a temperature of about 68° F to about 120° F.

The following is an examiner's statement of reasons for allowance: The prior art fails to teach or suggest a method of removing paint coating from a coated plastic substrate by immersing the plastic substrate in a first fluid mix comprising benzyl alcohol, sodium lauryl sulphate, 2-mercaptobenzothiazole, xylene, glycolic acid, and water followed by immersion in a second fluid mix comprising dipropylene glycol dimethyl ether, dimethyl succinate, dimethyl glutarate, and dimethyl adipate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-1297. The examiner can normally be reached on Monday-Thursday, 6:30-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sharidan Carrillo  
Primary Examiner  
Art Unit 1746

bsc



**SHARIDAN CARRILLO**  
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